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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,438	11/28/2003	Sachin Adlakha	TI-37230	7376

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TEXAS INSTRUMENTS INCORPORATED		
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EXAMINER	
RUDOLPH, VINCENT M	

ART UNIT	PAPER NUMBER
2625	

NOTIFICATION DATE	DELIVERY MODE
09/28/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/722,438	<b>Applicant(s)</b> ADLAKHA ET AL.	
	<b>Examiner</b> Vincent M. Rudolph	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 10 is objected to because of the following informalities:

Regarding claim 10, the phrase "for a user to distinguish and incoming call..." is incorrect and should be changed to --for a user to distinguish an incoming call...-. The examiner will assume this interpretation during the examination.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nobel (Pub. # 20040131190) in view of Kulakowski (Pub. # 20040100648).

Regarding claim 1, Nobel (Pub. # 20040131190) discloses a fax-aware telephone (communication device, See Figure 1, Element 102) for handling a facsimile transmission over a computer network (handling a fax over the communication media, See Page 2, Paragraph 0025). This includes a facsimile processing unit (embedded within the device) for handling a facsimile call (receiving fax data, See Page 2, Paragraph 0028), a voice processing unit (embedded within the device) operably connected to the facsimile processing unit for handling a voice call (receiving voice data, See Page 2, Paragraph 0025), a memory unit (embedded within the device) for

storing information (See Page 2, Paragraph 0027), a file transfer protocol client (FTP) for transferring facsimile transmission to a computer network (communicating through the Internet, See Page 2, Paragraph 0029) such that the device handles the facsimile call and the voice call together over a single line from the computer network (exchange data over the same telephone communications link, See Page 2, Paragraph 0025).

Nobel (Pub. # 20040131190) does disclose a memory unit, but does not disclose that it stores the incoming facsimile transmission.

Kulakowski (Pub. # 20040100648) discloses storing incoming fax messages in a memory (See Figure 2, Element 34; Page 4, Paragraph 0035).

It would have been obvious to one of ordinary skill in the art at the time of the invention to store incoming fax messages, such as the one disclosed within Kulakowski (Pub. # 20040100648), and incorporate it into the device of Nobel (Pub. # 20040131190) because it allows the machine to store the incoming data until the transmission is complete, which prevents any of the incoming data from being lost.

Regarding claim 2, Nobel (Pub. # 20040131190) does not disclose a faxmail unit that temporarily stores the incoming facsimile transmission prior to printing.

Kulakowski (Pub. # 20040100648) discloses receiving the incoming fax message, storing it in memory until the transfer is complete (See Page 5, Paragraph 0041), and output it to a printer once the received fax transmission is complete (See Page 7, Paragraph 0061).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to store the incoming fax data, such as the one disclosed

within Kulakowski (Pub. # 20040100648), and incorporate it into the device of Nobel (Pub. # 20040131190) because it allows the device to receive the whole document, which prevents any of the incoming data from being lost

Regarding claim 3, Nobel (Pub. # 20040131190) does not disclose an alert signal to designate the reception of the incoming facsimile transmission.

Kulakowski (Pub. # 20040100648) discloses receiving a ring signal that alerts the transmission of incoming facsimile data (See Page 7, Paragraph 0061).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include a signal, such as the one disclosed within Kulakowski (Pub. # 20040100648), and incorporate it into the device of Nobel (Pub. # 20040131190) because it allows the user to be notified that a fax message is arriving.

Regarding claim 4, Nobel (Pub. # 20040131190) discloses that the voice processing unit may send or receive a voice call (communicate bi-directional real-time voice data, See Page 2, Paragraph 0025) while the facsimile processing unit handles the fax call (prints the fax data, See Page 4, Paragraph 0050).

Regarding claim 7, Nobel (Pub. # 20040131190) discloses that the computer network transmits the fax call and voice call using the Internet protocol (using the IP address and other information for the receiving device, See Page 2, Paragraph 0029).

Regarding claim 8, Nobel (Pub. # 20040131190) discloses a printer driver (i.e., noted that the communication device as shown in Figure 2 includes a printer for outputting information received, thus, it is clear that the printer within the communication device must have a printer driver to decode and output the information received. In

view of this, the "printer driver" is an inherent feature within the communication device disclosed by Nobel; See Paragraphs 0026, 0027, 0050) for printing a fax transmission received by the fax-aware telephone (output the document, See Page 6, Paragraph 0050, received by the communication device, See Page 2, Paragraph 0028).

Regarding claim 9, Nobel (Pub. # 20040131190) does not disclose providing a hangover time during reception of a call and automatically receive the fax transmission in the memory after it is detected during the hangover time.

Kulakowski (Pub. # 20040100648) discloses a hangover (detection) time during reception of a call (detect the calling tone, See Page 7, Paragraph 0061) and automatically receive the fax transmission into memory once detected (once determined what type is being sent, the received fax data is stored in memory, See Page 7, Paragraph 0061).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include a hangover, or detection, time, such as the one disclosed within Kulakowski (Pub. # 20040100648), and incorporate it into the device of Nobel (Pub. # 20040131190) because it allows the device to correctly detect the type of ring signal incoming in order to process the received data accordingly.

Claims 5-6 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nobel (Pub. # 20040131190) in view of Kulakowski (Pub. # 20040100648) as applied to claim 1, and further in view of Mak (Pub. # 20020116464).

Regarding claim 5, Nobel (Pub. # 20040131190) discloses that the incoming facsimile transmission is generated by an analog fax machine (through the telephone interface, See Page 2, Paragraph 0029).

Nobel (Pub. # 20040131190) does not disclose searching for a CNG tone and store the incoming transmission whenever it is recognized.

Mak (Pub. # 20020116464) discloses receiving a calling tone, such as a CNG tone, and store the incoming fax once it is detected (See Page 4, Paragraph 0039).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include a CNG tone, such as the one disclosed within Mak (Pub. # 20020116464), and incorporate it into the device of Nobel (Pub. # 20040131190) because it allows the device to correctly detect the type of calling tone incoming in order to process the received data accordingly.

Regarding claim 6, Nobel (Pub. # 20040131190) does not disclose generating a CNG tone to alert the user whenever the fax-aware telephone recognizes an incoming transmission generated by a network aware facsimile device

Mak (Pub. # 20020116464) discloses generating a CNG tone to indicate that the device is receiving a fax call (since a CNG tone is characteristic of an incoming fax, a user is able to be alerted a fax is incoming, See Page 11-12, Paragraph 0119).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include alerting using a CNG tone, such as the one disclosed within Mak (Pub. # 20020116464), and incorporate it into the device of Nobel (Pub. # 20040131190) because it allows the user to know that a fax transmission is

incoming so that the device correctly returns the appropriate fax tone in order to process the data accordingly.

Regarding claim 10, Nobel (Pub. # 20040131190) does not disclose generating a signal for a user to distinguish an incoming call from a facsimile transmission.

Mak (Pub. # 20020116464) discloses generating a facsimile tone (CNG tone) indicating that the device is receiving a fax call, which is different from a voice call (since a CNG tone is characteristic of an incoming fax call, a user can distinguish between the fax call tone in order to be alerted a fax is incoming and a regular call tone, See Page 11-12, Paragraph 0119).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include distinguishing tones, such as the one disclosed within Mak (Pub. # 20020116464), and incorporate it into the device of Nobel (Pub. # 20040131190) because it allows the user to differentiate between a call tone from a fax tone so that a device is able to correctly return the appropriate fax tone and process the facsimile data accordingly.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is: Kung ('635), Cannon ('045), Straub ('079) and Yamaji ('094).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent M. Rudolph whose telephone number is (571) 272-8243. The examiner can normally be reached on Monday through Friday 8 A.M. - 4:30 P.M.



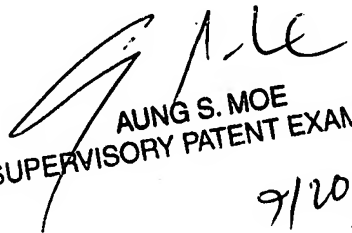
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on (571) 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

9/20/07

VME

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